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Attorneys for Defendant
OREGON MUTUAL INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

ARVIND and ALKA AGARWAL,

Plaintiffs,

v.

OREGON MUTUAL INSURANCE
COMPANY, and DOES 1 through 30,
inclusive,

Defendant.

Case No.: CV11-02524JF

**REQUEST AND STIPULATION RE
EXTENSION OF ADR DEADLINE (ADR
L.R. 3-5), AND ORDER EXTENDING
DEADLINE**

Case Management Conference:

Date: August 12, 2011

Time: 10:30 a.m.

Courtroom: 3

Judge: Hon. Jeremy Fogel

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1 This matter has been assigned to the ADR Multi-Option Program pursuant to the ADR
 2 Local Rules of this court. The parties have conferred and believe that it is in the best interests of
 3 the parties and the court to extend the deadline for selecting an ADR Option until after the Case
 4 Management Conference in this case, which is presently set for August 12, 2011. The reasons
 5 for the request for extension are as follows:

6 Defendant Oregon Mutual has filed a Motion to Transfer for Convenience (28 USC §
 7 1404(a)), which is presently set for hearing on August 12, 2011. The Motion seeks to transfer
 8 this suit to the District of Nevada. If the Motion to Transfer is granted, this Court's Local Rules
 9 regarding ADR will no longer be applicable to the matter. The parties therefore believe it
 10 prudent to await a ruling on the pending Motion before proceeding with local court-sponsored
 11 dispute resolution procedures.

12 In addition, Plaintiffs Arvind and Alka Agarwal have filed a Voluntary Petition for
 13 Chapter 13 Bankruptcy in U.S. Bankruptcy Court, District of Nevada (Petition #11017763-lbr).
 14 The bankruptcy court has not yet approved retention of plaintiffs' counsel in connection with
 15 this litigation. A motion for the same is to be filed on Monday, August 1, 2011 by plaintiffs'
 16 bankruptcy counsel. The parties do not believe the ADR options are beneficial or advisable
 17 under these circumstances.

18 Therefore the parties, by and through their counsel, hereby stipulate and request, if
 19 agreeable with the Court, that the deadline for selecting an ADR Option be extended to August
 20 19, 2011, or other date as selected by the court.

21 DATED: July 28, 2011

LAW OFFICES OF WILLIAM C. DRESSER


 William C. Dresser
 Attorney for Plaintiffs ARVIND and ALKA AGARWAL

25 DATED: July 21, 2011

LHB PACIFIC LAW PARTNERS, LLP


 Lisa L. Kirk
 Attorneys for Defendant OREGON MUTUAL
 INSURANCE COMPANY

ORDER

Pursuant to this Request and Stipulation, and good cause appearing, IT IS HEREBY ORDERED that the parties' deadline for filing a Stipulation Selecting ADR Process under Civil L.R. 16-8 and ADR L.R. 3-5 is extended to August 19, 2011.

DATED: 8/9/11

BY:


HON. JEREMY FOGEL
JUDGE OF THE DISTRICT COURT

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